

CLONMEL ENDOWED SCHOOL.

RETURN to an Order of the Honourable The House of Commons,
dated 14 February 1851—*for*,

A COPY "of the EVIDENCE taken at a Visitation held at the CLONMEL
ENDOWED SCHOOL, in June 1850; together with a COPY of the REPORT
made to the COMMISSIONERS of EDUCATION by the Visitors, and a State-
ment of any Steps which have been taken by the said Commissioners
thereupon."

Ordered, by The House of Commons, to be Printed, 12 March 1851.

COPY of EVIDENCE taken at the Visitation of the Endowed School of Clonmel.

MONDAY, 17th day of June 1850.

Present:—Viscount Sairdale; Stephen Moore, Esq.; and Samuel Perry, Esq.

(Visitors inspected school-house and premises. Deputation and affidavits
read. Notice of visitation read.)

Richard Davis, sworn.

Served a copy of the notice of visitation on master, 28th May 1850.

Rev. Thomas Kettlewell, sworn.

Q. 1. When were you appointed master of the Clonmel Endowed School?—
A. The original and unstamped appointment was on 29 January 1842.

Q. 2. On what day was the stamped appointment signed?—A. The docu-
ment itself is not dated, but I hold a letter from the Earl of Mountcashel,
dated 4 May 1842, stating, that he had that morning got the stamped appoint-
ment, and signed by himself and the Marquis of Ormonde.

Q. 3. Did you, at the time of your appointment, receive any document setting
forth the duties you were to perform?—A. None, as far as I recollect.

Q. 4. Had you any conversation with any of the patrons of the school at the
time of your appointment, upon the nature of your duties?—A. I had, with the
Earl of Mountcashel.

Q. 5. What was the nature of that conversation?—A. Lord Mountcashel
told me, he considered it to be my duty to afford instruction to the children of
Protestant freemen gratuitously. I acted upon that suggestion, and accordingly
inserted an advertisement in the Clonmel newspapers, dated 19 July 1842, stating
that I would not require payment for the instruction of the children of Protestant
freemen. I wish to state that, in March 1842, Lord Mountcashel read to me,
in Mr. Fetherston's office, a copy of the assignment of the school lands from
Miss Stanwix to the Commissioners of Education; in that assignment was recited
a part of the original endowment of 1685, by which it appeared that the school
was founded for the purpose of affording education and clothing gratuitously to
the children of Protestant freemen of Clonmel. This is the only information I
received respecting my duties.

A

Q. 6. Do

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Q. 6. Do you produce a statement of the number of children educated at the school by you, from the year 1842 to the year 1850 inclusive?—A. I do produce a nominal return and a summary, from which it appears as follows:—

YEARS.	1842.	1843.	1844.	1845.	1846.	1847.	1848.	1849.	1850.
Boarders - - -	3	17	20	20	27	23	—	—	—
Day Pupils - - -	14	22	17	14	5	10	11	12	3
Free Pupils - - -	6	12	12	0	7	6	6	6	4
TOTALS - - -	23	51	49	48	39	41	27	18	7

I discontinued taking boarders on 24 January 1848; I considered myself justified in taking this step, as the keeping a boarding school was not contemplated by the original endowment.

Q. 7. It appears, on looking over the return which you have produced, that but 14 sons of Protestant freemen have attended this school from the year 1842 to the present day. How do you account that so small a number of persons should have taken advantage of the gratuitous education afforded by the endowment?—A. I cannot account for it, as I not only never rejected an application, but reminded Protestant freemen of their privileges, and I would name particularly having reminded Mr. Edward Jones.

Q. 8. Do you consider that your pecuniary difficulties prevent freemen availing themselves of their privileges?—A. I do not; I admit that for the purpose of avoiding law process, I have given orders to keep the school-gates closed, but I declare that at the same time I have made ample provision for the admittance of all children of freemen, and other scholars coming to the school at the hours fixed for attendance.

Michael Brin, sworn.

Q. 1. What is your occupation?—A. Porter and general out-door servant of the Rev. Thomas Kettlewell.

Q. 2. Have you charge of the schoolgate?—A. I have.

Q. 3. What orders have you received from Mr. Kettlewell, respecting the keeping of the said gate?—A. To allow every person in, unless a bailiff.

Q. 4. Did it ever come to your knowledge that the children coming to the school for instruction were refused admittance?—A. No.

Rev. Thomas Kettlewell, resumed.

Q. 9. State what assistance you have had for carrying on the business of the school, from your appointment in 1842 to the present time?—A. On opening the school, in August 1842, I received the co-operation and assistance of my brother, Mr. Joshua Kettlewell, a master of arts in the College of Dublin. He instructed in classics. Mr. Murray commenced as science teacher in August 1842, at a salary of 100 *l.* a year. Mr. Murray continued as assistant until his dismissal by me in November 1847; my brother ceased to assist me after the summer vacation of 1848. I had also a writing master; I had a professor of French and German, Monsieur Bernard. My present writing master, Mr. James Sullivan, instructs in mathematics, &c. At the time I ceased to receive boarders the French master discontinued attendance, French not constituting one of the requisites of the endowment.

Q. 10. What salary did you give your brother, Mr. Joshua Kettlewell?—A. I returned his name in the annual reports at a salary of 150 *l.* a year, but he never accepted any salary from me.

Q. 11. What salary did you give your writing master?—A. I gave Mr. Neville, the writing master, 1842, 30 *l.* a year; in 1843 I gave Mr. Chancellor 40 *l.* a year; in 1843 and 1844 I paid Mr. Davis 40 *l.* a year, with board and lodging; in 1845-46 I paid Mr. Smith 35 *l.* a year, and board and lodging. The present writing master, Mr. Sullivan, commenced in March 1847, at a salary of 30 *l.* per annum, and is still with me.

Q. 12. You

Q. 12. You have stated that you dismissed Mr. Murray on the 16th November 1847; have the goodness to state your reasons for so doing?—*A.* Mr. Murray became a creditor for salary due for his services in the school, amounting to 175*l.* A subsequent arrangement proposed by me to liquidate Mr. Murray's claim, and countenanced by the Commissioners of Education, was defeated by Mr. Murray's serving me with a writ, in a short time after I dismissed Mr. Murray for intemperate conduct to myself in the schoolroom.

Q. 13. Was the sum you owe Mr. Murray solely made up of salary?—*A.* Of salary solely.

Q. 14. Is Mr. Murray at present resident in Clonmel?—*A.* I believe he is.

Alexand Bernard, sworn.

Q. 1. Have you been employed as professor of French and German in the Clonmel Endowed School?—*A.* I have.

Q. 2. How long have you been so employed?—*A.* From December 1842 to January 1848.

Q. 3. Were you, during that period, constantly in the habit of meeting Mr. J. C. Murray?—*A.* I was.

Q. 4. Have you seen Mr. Murray since he was dismissed from the school, in November 1847?—*A.* I have, several times.

Q. 5. What is your opinion of his mental condition?—*A.* I consider him to be deranged.

Q. 6. Did you consider him to be deranged while he was attending the school?—*A.* No, but I observed that his manner, walking the streets, was unusual.

[Visitation adjourned until Wednesday, the 19th day of June 1850, at half-past Eleven o'clock, a.m.]

WEDNESDAY, 19 June 1850.

PRESENT:—Viscount Saindale, and Stephen Moore, Esq.

Mr. Michael Gliscan, Town Clerk, Clonmel, sworn.

Q. 1. Do you produce the roll of the freemen of the borough of Clonmel?—*A.* I do.

Q. 2. At what period was this roll ingrossed?—*A.* In the year 1849. It was copied from the original roll handed over from the old corporation, omitting the names of deceased freemen. Mr. Ronan was town clerk of the borough at that time, and handed over both documents on my appointment in the year 1843.

Note.—It appears by the document produced that the number of Protestant freemen is about 60.

Q. 3. Have any additions to the number of freemen been made since your appointment?—*A.* None; no application was ever made.

Mr. William Smith, sworn.

Q. 1. Are you a freeman of the borough of Clonmel?—*A.* Yes.

Q. 2. Did you send any of your sons to this school during the time Mr. Kettlewell has been the master?—*A.* Yes, one of my sons.

Q. 3. For what period was your son at this school?—*A.* As far as I can recollect, about five months.

Q. 4. Were you satisfied with the progress he made during that time?—*A.* I had no reason to be dissatisfied.

Q. 5. Was his withdrawal from the school occasioned in any way by your dissatisfaction at the manner in which it was conducted?—*A.* Certainly not.

Q. 6. When you sent your son to Mr. Kettlewell, had you any conversation with him with respect to payment for his schooling?—*A.* I told Mr. Kettlewell I had no idea of taking advantage of my privilege as a freeman, and that I had paid Doctor Bell for his elder brother, who had been under his charge. Mr. Kettlewell peremptorily refused payment, and after some demur I consented to send my son to him.

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Q. 7. Did Mr. Kettlewell ever receive any payment or gratuity from you for the education of your son?—A. None whatever.

Q. 8. It appears in evidence before us, that there are about 60 Protestant freemen on the roll, and that from 1842, when Mr. Kettlewell was appointed master of this school, up to the present, only 14 sons of Protestant freemen attended it; can you give any reason for the fact of so few of the freemen having taken advantage of the privilege conferred by the foundation?—A. I cannot.

Q. 9. Do you know of any school in the town or neighbourhood sufficiently near to receive day scholars, which offers the same advantages as the Cloamell Badowed School?—A. I know of none; none that I would send my son to.

Rev. Thomas Kettlewell, sworn.

Q. 1. State the dates on which the 14 sons of freemen who have attended the school were removed by their parents, and the reasons for such removal, as far as your memory serves you?—A. Dowdy left in 1843; died. Hughes, John and James, in 1844, Quakers; sent to a Quaker's school to England. Vowell, John and George, in 1844; removed by their father in consequence of his dissatisfaction at his son John's not having obtained a science premium at the Midsummer examination. Labarte in 1845; removed in consequence of delicate health. Pedder in 1845; removed, as I understood, for the purpose of going to a school in England, preparatory to entering the Woolwich academy. Achesson, in 1846, sent, as I understood, to business in Limerick. Ardagh, in 1848; sent to business. Sargent, in 1847; prepared for entrance to the University. Lane, John, in 1848; died. Lane, Vere, in 1848; on being appointed to a commission in the army. Lane, William, in 1850; my brother, Mr. Joshua Kettlewell, will account for his removal. Smith, in 1860; accounted for by the evidence of his father, Mr. William Smith, taken this day.

I have not received, as far as I can recollect, any, either written or verbal communication from the parents of the above children expressive of dissatisfaction, either with my personal conduct or the management of the school, with the exception of a letter from Mr. Vowell, to which I have already referred.

Mr. John Tinsley, sworn.

Q. 1. Are you employed in the post-office in Cloamell?—A. I am.

Q. 2. Do you know Mr. J. C. Murray?—A. I do.

Q. 3. Have you seen him lately?—A. About three months ago he came to the post-office and asked me for change of a sovereign. I saw 10 or 12 sovereigns in his hand.

Q. 4. What is your opinion of his mental condition?—A. I think he is out of his mind.

COPY of a LETTER received 17 June 1860, from the Clerk of the
Cloamell Union.

Cloamell Union Workhouse,
17 June 1860.

Gentlemen,

I AM directed by the Board of Guardians to state for your information, that there is 18*l.* 1*s.* due for poor-rates on the premises known as Lianure House, occupied by the Rev. Thomas Kettlewell, and the collector has stated several times to the Board that he could not get into the premises to enforce payment. The Board consider that the union is seriously aggrieved when access to a public grammar school, in the town of Cloamell, is prevented, and that a public officer is unable to enter the premises for the lawful purpose of demanding a poor-rate due, and for serving the notice required by law.

I have, &c.
(signed) *T. Gatchell,*
Clerk of Union.

To Lord Suirdale;
Samuel Perry, esq.; Stephen Moore, esq.

James John Shee, sworn.

Q. 1. Are you poor-rate collector of the electoral division of Clonmel?—

A. Yes.

Q. 2. When were you appointed collector?—A. In 1840.

Q. 3. From whom were you in the habit of receiving the poor-rates rated on these premises?—A. Up to 1846, from the Rev. Thomas Kettlewell. Since that period I have been paid by the Commissioners of Education, on application to their secretary, Mr. William Cotter Kyle, except the last rate made the 6th September 1849, amounting to 18*l.* 1*s.*

Q. 4. What steps did you take to recover the rate now due?—A. I first wrote to Mr. Kyle, as I was in the habit of doing, but received no answer from him. I afterwards directed one of my bailiffs to endeavour to obtain an entrance into the school, which he informed me he failed to do, although he made several attempts.

Q. 5. Did you make any statement to the Board of Guardians to account for your not having collected this rate?—A. I stated that I had applied to the Commissioners of Education and received no answer, and that I had ineffectually endeavoured to make a distress on the premises. I am almost certain I did not state to the guardians that I was in the habit of receiving the previous rates from the Commissioners of Education. I wish to state that my brother attended this school for four years, during Mr. Kettlewell's occupation, and that he was afterwards examined by two elder brothers, who are physicians; they stated that they had never met a boy of his age better instructed in science and classics.

Rev. Thomas Kettlewell, resumed.

Q. 2. Did you receive any written or verbal communication from Mr. Shee, demanding the poor-rate made 6th September 1849?—A. Never.

Q. 3. Were you aware that Mr. Shee had made ineffectual endeavours to obtain an entrance into the school, for the purpose of making a distress for poor-rates?—A. I was not aware.

Q. 4. State whatever particulars you think necessary respecting all rates and taxes assessed on these premises?—A. In the month of June 1846 I received from the Commissioners of Education reimbursement of all poor-rates previously paid by me, and the 14th May 1850 I received from them reimbursement for all poor-rates paid by me up to the 26th November 1846.

Michael Britt, sworn; examination resumed.

Q. 1. Are you aware of any bailiffs or bailiff, on the part of Mr. Shee the poor-rate collector, endeavouring to obtain an entrance into these premises for the purpose of making a distress for poor-rates?—A. I am not.

Edward Jones, sworn.

Q. 1. What is your occupation and residence?—A. Coachmaker, residing in the town of Clonmel.

Q. 2. Are you a creditor of the Rev. Thomas Kettlewell?—A. I am, for the amount of 5*l.* 3*s.* 6*d.* for cash lent.

Q. 3. Did you attend a meeting of creditors called by the Rev. Mr. Kettlewell on or about the 1st of June 1848?—A. I did.

Q. 4. State, as nearly as you can recollect, the substance of what passed upon that occasion?—A. The meeting was attended by myself, Mr. John O'Brien, Mr. Robert Wigmore, Mr. Thomas Grubb, on behalf of Mr. Francis Moore, and Mr. Samuel Ryall; other creditors were present, whose names I do not now recollect. In addition to my own claim, I represented my mother, Mrs. Frances Jones, a creditor to the amount of 120*l.* Mr. Joshua Kettlewell and Mr. Robert Hemphill, solicitor, were also present. The Rev. Mr. Kettlewell stated to the meeting that he expected that within twelve months the last instalment of the money raised for building the house would be paid off, and that in consequence his annual income would be from 400*l.* to 440*l.* per annum. Mr. Kettlewell offered to give up the whole of that income to trustees for the payment of the debts due to his unprotected creditors, provided the trustees

would first pay the premiums on certain policies of insurance which had been effected to secure certain judgment creditors. The amount of premium payable annually was 100*l*.

Q. 5. Was that arrangement carried out?—A. No; but a subsequent meeting was held about six weeks after the first, at which, on the suggestion of myself and others of the creditors, it was proposed to allow Mr. Kettlewell 1*l*. per week, but we never had funds to enable us to do this. Mr. Ambrose Lane, Mr. Samuel Ryall, Mr. Robert Wignmore, and myself, were named trustees. I kept the accounts, and have received from Mr. Kettlewell the sum of 100*l*. by two equal payments, on the 8th August and 3d November 1848; I applied the whole of that money, between the 10th August 1848 and the 14th April 1849, to the payment of premiums on the policies of insurance, with the exception of a balance of 15*s*. 11*d*. which still remains in my hands, the particulars of which are set forth in the account which I now produce.

Q. 6. Did you apply to Mr. Kettlewell for the quarter's salary due 1st February 1849?—A. I did, but not personally, as Mr. Kettlewell was ill. I subsequently had a personal interview with him, when he stated that he was unable to keep the agreement in consequence of the decrease of the number of day scholars attending the school, and that the requirements of his family rendered it necessary that he should retain the only means for their support. From that period I considered my duties as trustee were concluded, and I gave notice to the judgment creditors, who were secured by the policies of insurance, that I was no longer able to keep up the payment of the premiums. I forgot to mention that Mr. Ambrose Lane and Mr. Samuel Ryall, two of these judgment creditors, consented to let all interest arising to them lie over until the unprotected creditors would be paid off, provided the premiums on their policies of insurance were paid.

[Adjourned to Monday, 24 June 1850.]

MONDAY, 24 JUNE 1850.

Present:—Viscount Scirdale, Samuel Perry, Esq., and Stephen Moore, Esq.

Edward Jones, sworn; resumed.

Q. 1. Was any other arrangement afterwards proposed by Mr. Kettlewell?—A. None; I made no further application, as I was aware his circumstances had not improved.

Q. 2. Are you a freeman of the borough of Clonmel?—A. I am.

Q. 3. Are you a Protestant?—A. I am.

Q. 4. During the period Mr. Kettlewell has been master of this school, have any of your children been of such an age to enable you to send them to this school?—A. I did not consider any of them old enough.

Q. 5. Are we to understand that your not availing yourself of the gratuitous education offered to you for your children, did not arise from any unfavourable opinion of the management of the school or the conduct of the master?—A. It did not. Mr. Kettlewell often pressed me to send my children, and promised to take the best care of them; he stated that he wished to have them when they were young. I intend when my children are older to send them to this school.

Q. 6. You have stated that your mother, Mrs. Frances Jones, baker, is a creditor of the Rev. Mr. Kettlewell to the amount of 120*l*.; can you state upon what terms this credit was given?—A. At the time that Mr. Kettlewell opened the school in 1842 I was the medium of communication between him and my mother, and the arrangement was that payment should be made every three months.

Q. 7. Was that arrangement carried out?—A. To the best of my recollection a payment was made at the end of the first three months; after that the payments became irregular.

Q. 8. Can you state what proportion the total amount of bread delivered by your mother bears to the amount now due?—A. I cannot. The account was kept in a pass-book, in which entry was made of the bread delivered each day, from which the payments were deducted as they were made.

Mr. John O'Brien, sworn.

Q. 1. What is your occupation and residence?—*A.* A victualler residing in the town of Clonmel.

Q. 2. Are you a creditor of the Rev. Mr. Kettlewell?—*A.* I am, to the amount of 153*l.* 15*s.*, (one hundred and fifty-three pounds fifteen shillings).

Q. 3. How was that debt contracted?—*A.* For meat supplied.

Q. 4. Did you receive any payment from Mr. Kettlewell?—*A.* I did, to the best of my recollection about 40*l.*

Q. 5. Were you at the meeting of Mr. Kettlewell's creditors held in the month of June 1848?—*A.* I was.

Q. 6. Were you one of those creditors who agreed to the appointment of Mr. Edward Jones and others as trustees, and to the arrangement then proposed?—*A.* I was.

Q. 7. You have heard the statement made by Mr. Edward Jones, of what occurred on that occasion; do you consider that statement substantially correct?—*A.* I do.

Q. 8. Previous to the meeting of creditors above referred to, had you made any private arrangement with Mr. Kettlewell respecting his debt to you?—*A.* Mr. Kettlewell gave me a policy of insurance effected on his life for 125*l.*; I do not recollect that anything was said with regard to the payment of the premium, but I did not keep up the premium, and the policy has consequently dropped. Afterwards, in March 1848, Mr. Kettlewell gave me a bond for the amount of his debt to me, on which I have entered judgment.

Mr. Richard Prendergast Fowell, sworn.

Q. 1. What is your occupation and residence?—*A.* A solicitor, residing in the town of Clonmel.

Q. 2. Are you a freeman of the borough of Clonmel?—*A.* I am.

Q. 3. Are you a Protestant?—*A.* I am.

Q. 4. Did you send any of your children to this school during the time Mr. Kettlewell has been the master?—*A.* I did; two sons, John and George.

Q. 5. How long did they remain in the school?—*A.* About twelve months.

Q. 6. Did Mr. Kettlewell demand any payment for their education?—*A.* None; on the contrary, he refused when I spoke to him on the subject, and stated that I did not intend to take advantage of my privilege.

Q. 7. Were you satisfied with the progress made by your sons while under Mr. Kettlewell's care?—*A.* Perfectly so; I withdrew my children from the school because I was annoyed at my son John not having been included in the examination of his science class at the end of the second half-year; he had been examined at the end of the first half-year, and had gained the premium.

Q. 8. Have you any children at present of such an age as to require a classical education?—*A.* I have two sons aged about 13 and 11 respectively.

Q. 9. Why have you not sent them to this school?—*A.* Because I do not consider it is now conducted in so efficient a manner as when my two elder sons attended it.

Q. 10. State in what particulars you consider the school deteriorated?—*A.* I was informed that some of the assistant teachers were dismissed, and that the school-gates were closed.

Q. 11. Did you ever come to the school yourself to inquire into the truth of those allegations?—*A.* Never, nor did I make any inquiries from Mr. Kettlewell on the subject.

Q. 12. Has your opinion of Mr. Kettlewell's moral character in any way altered since your sons attended the school?—*A.* Not in the least; and I would not have the least objection to entrust my younger children to his care, if I was certain that he had the same means at his disposal as he had when my elder sons were with him.

Q. 13. Are you aware that Mr. Kettlewell had Mr. James Sullivan as assistant in mathematics and writing?—*A.* I was not.

Q. 14. As you now know that there is a mathematical assistant regularly attending the school, would you have any objection to send your sons to it?—*A.* I would, because I consider the efficiency of this school is very much diminished

diminished by the withdrawal of Mr. Joshua Kettlewell. I wish to state that I very much feel the want of an efficient public day school at which to place my children; there being, in my opinion, none such in the town of Clonmel.

Mr. Joshua Kettlewell, sworn.

Q. 1. What is your occupation and residence?—A. I am clerk of the Clongheen Union.

Q. 2. Were you employed in assisting your brother in conducting this school?—A. I was for a period of six years, from 1842 to 1848.

Q. 3. Were you thoroughly acquainted with your brother's pecuniary affairs, as well as the management of the school during these six years?—A. I was.

Q. 4. Did you call on Mrs. Lane to inquire why she removed her son William from the school this year?—A. I did.

Q. 5. What reason did she assign?—A. I showed her a letter which she had previously written to my brother on the subject, which she acknowledged to be true in every respect. The letter states that her reason for removing her son was to separate him from a brother who was suffering from illness.

Q. 6. Do you wish to submit any statement respecting your brother's affairs on the affairs of the school?—A. I do.

STATEMENT submitted by Mr. Joshua Kettlewell.

"It was, my lord and gentlemen, my intention to address to you a few observations on the general subject of this visitation, but I have deemed it more expedient to submit a written statement, embodying the substance of those intended remarks, lest in their expression I might be betrayed into observations which, how true soever, might bear the impress of passion or excitement. This, my lord, is not the proper place for the discussion of, nor is it your province as visitors to inquire into the matter at issue between my brother and the Commissioners of Education; and I will therefore dismiss that subject with one simple observation, which I consider it essential to state, for the purpose of fixing the date of the commencement of the untoward circumstances which have placed my brother in his present painful position.

"My brother's original appointment as master was made in January 1842; to that appointment objections were made, not so much in my opinion with a view to the observance of regularity and order as for the purpose, by the intervention of delay, of retaining Dr. Bell in a position to consummate, by yielding possession of the school lands, the title derived to the Commissioners of Education by the conveyance from Miss Stanwix, which in the terms of her own letter to the Earl of Mountanshel, as reported in the notice of the proceedings in the House of Lords, she was coerced to sign by the threat of the Commissioners' solicitor, menacing her with the terrors of a suit in Chancery. I have, as I stated, made this observation for the purpose of fixing the date of my brother's first embarrassment. Dr. Bell, in December 1841, dismissed the pupils of the school, and never afterwards performed any of the functions of master. By this act the boarders, likely in all human probability to be transferred to my brother's care, were, by the interposition of the delays that occurred, sent to other schools, and Dr. Bell was allowed to enjoy the profits of the school lands up to the half year terminating on the 1st of May 1842, by which my brother was deprived of the probability of having the boarders then at the school transferred to his charge, and was molested of the profits of the school lands, which Dr. Bell continued to receive without discharging any of the duties of his office. My brother, on his appointment, made a very heavy outlay in expenditure in preparing the house for the reception of boarders, and also procured, at high salaries, the services of assistants whose co-operation in conducting the business of the school he thought calculated to ensure the success of the establishment. My brother, in these arrangements, conceived himself justified by the anticipation of public support, and by the conviction that he had a right to the entire profits derivable from the school lands, after the annual payment of the

In reference hereto, vide Parl. Paper No. 418, printed by order of the House of Commons, 25 June 1849.

By order,
Wm. Cotton Kyle,
Secretary.

the debt on the school-house. In both these expectations my brother was disappointed, as in the first instance the school was not supported by the public to that extent to which it was in my opinion entitled, both with reference to the arrangements made for the reception of boarders, and the undeniable competency of the assistants selected; and the Commissioners' letter, transmitting his first salary, informed him of his disappointment in the second instance. A desire to vindicate what he conceived his rights, induced him to decline giving receipts for salary otherwise than as on account of rents; and that determination caused the withholding of his income from the endowment for the protracted period of two years. Beseet with the difficulties I have stated, unsupported by the public to the extent to which he was I think entitled, and with his income from the school estate withheld by the Commissioners, my brother found it impossible to meet his engagements for the payment of the expenditure of the outlay in the preparation of the school-house, and the maintenance of an expensive establishment; and was obliged to resort to means of obtaining money upon disadvantageous terms. The difficulties which I have described were fearfully aggravated by the two succeeding years of famine, when with shaken credit he was obliged to pay the premia on heavy life insurances, and to provide for the current expenses of an establishment at that time including nearly 30 boarders, by the purchase of provisions at ruinous prices. Beseet with the difficulties of his position, my brother convened the meeting of his creditors alluded to in the evidence taken at this visitation, and made the proposition stated by Mr. Jones. My brother was, in my opinion, fully justified in his statement at that meeting, that his income would be increased by the yearly sum of 240*l.* upon the liquidation of the debt on the school-house. That proposition was acceded to by his creditors, and with the conditions of it he complied by the payment of his entire salary for the two succeeding quarters. At the termination of the third quarter he declined compliance, for the reasons stated in Mr. Jones's evidence; and not being myself a parent, I leave to you, my lord and gentlemen, to determine whether or not the cries of children for food are a stronger claim on a father's heart than the requirements of stern justice upon his conscience; I have been induced to make these observations, not with the vain hope of calling on my brother's behalf your compassionate sympathies in his misfortunes, which fraud would be as little likely of success with you as it would be in me the evidence of a meanness of which I believe myself incapable; but I have made them with a far higher aim, with the view of justifying myself in your estimation, and the estimation of others, the friends whose confidence I have uninterruptedly enjoyed during a series of years numbering more than 40 summers, and whose favourable opinion has ever been a subject of my highest aspiration, yielding only to the approval of my own conscience. I have made them I say, my lord and gentlemen, with a view to justify me in your opinion in the declaration of my unaltered affection and love for as kind a brother as ever lived, and who, how much soever his unhappy fortunes, of which he has been more the victim than the cause, may have humbled him, remains, I am convinced, the principles of honour and integrity which he derived from the precepts and example, and inherited from the blood of his and my common father.

* I have altogether abstained from any observation as to the manner in which the duties of the school were conducted, not from any fear of a searching scrutiny into the subject, which with equal confidence I challenge and defy, but from the conviction that observation is not called for from the nature of any facts disclosed at this visitation; and I will therefore dismiss any reference to the conduct of the school with the simple assertion, that the duties appertaining to its management were performed with faithfulness, diligence, and zeal; and with an application in my own instance so intense as, in the opinion of my physician, to threaten seriously the safety of my health. Neither have I discussed, nor do I propose to discuss, the literary qualifications of my brother, and of the assistants he retained for the performance of the duties assigned; qualifications which have borne a test too genuine for denial, and been stamped in characters too deep to be effaced.

"In conclusion I beg respectfully to tender to your lordship, and the gentlemen associated with you in this visitation, the expression of my grateful thanks for the impartial justice with which its proceedings have been conducted;

an impartial justice, ever to be expected from men in your position in society, whose principles reflect lustre, in your instance, my lord, upon your coronet, and in that of your brother visitors, upon their high station.

(signed) "*Jos. Kettlewell*."

Q. 7. Do you believe the above statement to be true?—A. I do.

[Adjourned to Friday, 28th day of June 1850.]

FRIDAY, 28 JUNE 1850.

PRESENT:—Viscount Sainsbury, and Stephen Moore, Esq.

Mr. James Sullivan, sworn.

Q. 1. WHAT is your occupation and residence?—A. I live in Clonmel, and am mathematical and English assistant to Rev. Mr. Kettlewell.

Q. 2. How long have you assisted Mr. Kettlewell?—A. From 22d March 1847 to the present time.

Q. 3. What duties did you discharge?—A. I taught writing, mathematics, English, and geography.

Q. 4. What part did Mr. Kettlewell take in the instruction?—A. He taught Greek and Latin, history, ancient and modern, and English.

Q. 5. Do you think that Mr. Kettlewell was attentive to the school?—A. I do.

Q. 6. Did you observe him make any difference between the boarders and day pupils, and the free pupils, either in the manner of conveying instruction or in the amount of instruction conveyed?—A. Not the slightest.

Q. 7. Was his conduct to the pupils, to your observation, in any way severe or unkind?—A. No.

Q. 8. Is Mr. Kettlewell at present in your debt, and to what amount?—A. He is to the amount of about 20 l.

Q. 9. How was that debt contracted?—A. It consists of arrears of salary.

Q. 10. Do you think that Mr. Kettlewell's conduct in contracting this debt to you was fair and honourable, or otherwise?—A. Nothing has occurred up to this to prove to me that it was otherwise than fair and honourable.

Rev. Thomas Kettlewell, sworn; Examination resumed.

Q. 1. Have you since the commencement of this inquiry obtained any further information as to the number of Protestant freemen of the borough of Clonmel?—A. I have. I produce an alphabetical arrangement and analysis of the names appearing on the roll of freemen produced at this visitation by the town clerk, from which it appears that there are 59 freemen on the roll, of whom three are Roman-catholics, and therefore not entitled to the benefit of the endowment. Of the remainder, 37 are members of the Anglican church or Presbyterians, and 19 are members of the Society of Friends; of the 37 Protestants, 19 are resident and 18 are non-resident; of the 19 members of the Society of Friends, 12 are resident and seven are non-resident; of the 19 Protestants resident, 13 have families; of the 18 Protestants non-resident, 13 have families,—one remains unascertained; of the 12 resident members of the Society of Friends, six have families; of the seven non-resident members of the Society of Friends, one has a family,—two are unascertained. I have classed as residents all persons living within seven miles of the town.

Q. 2. We have observed that the school-house is not in a proper state of repair; what steps did you take to keep it in repair during the time you have been master?—A. On my appointment in 1842 I repaired the house at a very considerable expense, and I continued repairs subsequently as long as my means allowed. I have several times applied to the Commissioners for reimbursement of the sums which I expended on my taking possession of the house; their reply invariably has been that they are not in possession of funds to reimburse me, but that as soon as they have money they will repay me. On my application in 1846, the Commissioners expended 4 l. 10 s. in whitewashing. The house is now undergoing some repairs under the direction of Mr. Tinsley, the architect, by the instruction of the Commissioners.

Q. 3. Do

A. 3. Do you consider that you are liable as master to repair the house?—*A.* Certainly not, not being in the same position with regard to emolument as my predecessors.

Q. 4. Is this house subject to any rent?—*A.* It is; to 1*l.* per annum, payable to Mr. John Bagwell.

Q. 5. Have you paid any of this rent?—*A.* I have, for four years ending 25th March 1840; I then ceased paying the rent, and I believe there are four years now due.

Q. 6. From the time that you were informed by the Commissioners of Education that you were to receive a fixed salary of 206*l.* a year, and that the whole profits of the estate were not to be handed over to you, did you consider yourself liable as master to the expenses of rent, taxes, and keeping the house in repair?—*A.* Certainly not.

Q. 7. Can you state the amount of your present liabilities?—*A.* I owe to—

	£.	s.	d.
Mr. Ambrose Lane - - - - -	2,400	-	-
Mr. Samuel Ryall - - - - -	700	-	-
Rev. Robert O'Callaghan - - - - -	200	-	-
Miss Lukey - - - - -	122	6	8
Mrs. Chapman - - - - -	200	-	-
Mr. Robert Hemphill - - - - -	41	-	-
For Money lent - - - £.	3,463	6	8

The whole of these, with the exception of Mr. Hemphill, hold bonds for the amount of my debts to them. Mr. Lane has my bond, joined with the Rev. Robert O'Callaghan, for 1,000*l.* All these creditors were secured by policies of insurance, the premiums on which I paid as long as I was able.

In addition to the above, I owed on the 8th April 1848, for goods supplied:—

	£.	s.	d.
Mr. Burke, clothier - - - - -	7	10	8
Mr. Clarke, upholsterer - - - - -	34	-	-
Mr. Graham, apothecary - - - - -	21	-	-
Mrs. Jones, baker - - - - -	120	-	-
Mr. King, victualler - - - - -	123	-	-
Messrs. Murphy, brewers - - - - -	60	-	-
Mr. Murray, teacher - - - - -	200	-	-
Mr. Moore, coal merchant - - - - -	19	9	6
Mr. Prendergast, milk account - - - - -	52	-	-
Mr. Phelan, wine merchant - - - - -	50	-	-
Messrs. Wignmore & Morgan, grocers - - - - -	100	-	-
Mr. Thompson, shoemaker - - - - -	41	-	-
Mr. O'Brien, victualler - - - - -	140	-	-
Gas Company - - - - -	24	12	6
Mr. Clancy, ironmonger - - - - -	25	7	5
TOTAL - - - £.	1,024	-	1

Q. 8. State what are the causes which you consider have led to your present embarrassed circumstances?—*A.* Disappointments in the amount of the money I expected to receive from the Commissioners, and the want of remunerating support on the part of the public.

I wish to state, that on looking over my accounts, I find that from the 1st May 1848 to 31st January 1850—

	£.	s.	d.
I received from the Commissioners - - -	350	-	-
“ Pupil - - - - -	92	-	8
TOTAL - - - £.	442	-	8

Of which I expended,—

	£.	s.	d.
In payment of premiums of policies of insurance - -	39	8	7
In payment of assistant teachers - - - - -	47	0	8
Ditto servants - - - - -	37	18	6
Ditto Edward Jones, pursuant to agreement - - -	100	-	-
In paying off sundry creditors - - - - -	110	2	3
TOTAL - - - - £.	334	19	-

It therefore appears, that for the period of one year and nine months I expended only 197*l.* 1*s.* 8*d.* for the support of my family.

[Visitation closed.]

COPY of the REPORT made to the COMMISSIONERS of EDUCATION, by the
Visitors of the Clonmel Endowed School.

To the Commissioners of Education in Ireland.

WE the undersigned having been deputed, on the 19th of March 1850, to visit the Endowed School of Clonmel, beg leave to submit herewith to the Commissioners of Education the minutes of evidence taken at our sittings on the 17th, 19th, 24th, and 28th of June 1850.

We inspected the school-house and premises, and regret to be obliged to report them in a very neglected state. We do not think it necessary to make any remarks upon the evidence, further than to state that we gave every possible publicity to our proceedings, and that we have recorded all the evidence that was offered to us.

We are of opinion that many persons who were in a position to afford important information respecting the state of the school, and the conduct of the master, were prevented from coming forward by the fear of losing all chance of payment of the debts due to them by the master, if he should be dismissed from his situation.

We beg to add, that in our opinion Mr. Kettlewell's pecuniary embarrassments are of such magnitude, that it is very improbable that he will ever be in a position to carry on the Endowed School efficiently; and that it would be highly desirable for the interests of the town and neighbourhood of Clonmel that another master should be appointed.

(signed) *Suirdale.*
S. Moore.
Samuel Perry.

Dated at Knocklofty, the 9th day of July 1850.

"The Commissioners of Education in Ireland."

The Commissioners having taken the above documents into their consideration, did not feel that the evidence and the report presented by the visitors deputed to hold the Visitation at Clonmel Endowed School, were sufficient to justify the Commissioners in proceeding to dismiss the master.

By order, *Wm. Cotter Kyle, Secretary.*

5 March 1851.

CLOMMEL ENDOWED SCHOOL.

COPY of the ENDOWMENT taken at a Variation held at the CLOMMEL ENDOWED SCHOOL, in June 1820 : together with a COURT of the BARONET made to the COMMISSIONERS of EXCHEQUER by the Viceroy, and a STATEMENT of any Steps which have been taken by the said COMMISSIONERS thereupon.

(Mr. Stally.)

Ordered, by The House of Commons, in 4r. Place
15 March 1821.
